

REMARKS

Claims 1-9 remain pending. Independent claim 1 has been amended.
Reconsideration of the application is respectfully requested.

Claims 1-9 were rejected under 35 U.S.C § 102(b) as anticipated by Wampler (USPN 5,061,256). The Examiner asserts that the cited reference shows the present invention as claimed. Independent claim 1 has been amended to more succinctly claim the invention. More specifically, a limitation has been added specifying that the flexible projection is to be disposed distal to **all** of the inlet openings wherein such projection serves to space said inlet openings apart from adjacent heart walls. Such configuration is clearly shown in the Figures and is described at for example page 3, lines 7-10. The Examiner characterizes the distal part of tip section 38 as being equivalent to the claimed flexible projection. In view of the fact that the oblique opening 46 extends along the entire length of the distal part of the tip section and the claims now all unequivocally call for the projection to be positioned distal to all openings, it is respectfully submitted that anticipation is avoided.

Moreover, it is to be noted that the description in the cited reference in fact draws attention to the fact that the flexible tip 38 is liable to obstruct the flow of blood into the canula as the tip is pushed up against heart tissue (col 2, lines 24-26). It is also readily conceivable that the oblique opening 46, by virtue of its distal positioning, could become adhered to heart tissue by suction. While the reference goes on to state that the auxiliary apertures serve to prevent occlusion of the canula by the tip, the tip configuration cannot prevent obstruction. The present invention on the other hand avoids such problem altogether by maintaining a spaced apart relationship of the openings relative to heart tissue by virtue of the projection's placement distal to all of the openings. In view of the fact that the present invention therefore overcomes a problem that the device of the cited reference is susceptible to, it is respectfully submitted that obviousness is effectively avoided.

In light of the above amendments and remarks, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

The commissioner is authorized to charge any deficiencies in fees or credit any overpayments to our Deposit Account No. 06-2425.

Respectfully submitted,

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